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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/787,016

02/24/2004

Yuzuru Suzuki

31647-7

3960

35023

7590

12/16/2005

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EXAMINER

PRESTON, ERIK D

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/787,016

Applicant(s)

SUZUKI ET AL.

Examiner

Erik D. Preston

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/19/2004</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. (US 5811903 supplied by applicant) in view of Krauth (JP 10-271735).

With respect to claims 1, 6 & 14, Ueno teaches a thrust member of a motor including a motor body (Fig. 1, #10), which is shaped substantially cylindrical, a rotor, a stator, and a rotary shaft (Fig. 1, #3) which has a front end portion thereof sticking out from a front end face of the motor body, has a rear end face thereof exposed at a rear end face of the motor body (as seen in Fig. 1), and which rotates with respect to the motor body, the thrust member comprising: A plurality of arm segments (Fig. 7, #9d) attached to predetermined areas on an outer surface of the motor body (such as is seen in Fig. 14); a thrust segment (Fig. 6, #9a) to touch the rear end face of the rotary shaft when the thrust member is mounted on the motor with the arm segments being attached to the predetermined areas on the outer surface of the motor body; and a plurality of shoulder segments (as seen in Figs. 6 & 7) to bridge the arm segments to and the thrust segment and to urge the thrust segment toward the rotary shaft, but it does not teach the thrust segment being a hump. However, Krauth teaches a hump segment (Fig. 1, #28) for touching a rear end face of the rotary shaft. It would have

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been obvious to one of ordinary skill in the art at the time of the invention to modify the thrust segment of Ueno in view of the hump segment as taught by Krauth because it provides a means for adjusting a thrust bearing after assembling the motor (Krauth, Paragraph 4) which saves both time and money (Krauth, Paragraph 8).

With respect to claims 2, 13 & 15, Ueno in view of Krauth teaches the motor of claims 1, 6 & 14, and Ueno teaches that the rotary shaft has a worm gear (Fig. 1, #4) attached to the front end portion thereof.

With respect to claims 3, 9 & 10, Ueno in view of Krauth teaches the motor of claims 1, 6 & 14, and Ueno teaches that the thrust member receiving portion is constituted by cutouts (of the type as seen in Fig. 14), but it does not teach that the thrust member receiving mechanism is provided at the front end face of the motor body. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the thrust member receiving mechanism at the front end face of the motor body since it has been held that changing the position of an element of an invention is prima facie obvious in the absence of new or unexpected results (In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950)).

With respect to claims 4 & 7, Ueno in view of Krauth teaches the motor of claims 1 & 6, and Ueno teaches that the arm segments are detachably attached to the predetermined areas of the motor body.

With respect to claims 5 & 8, Ueno in view of Krauth teaches the motor of claims 1 & 6, and Krauth teaches that the thrust member is fixedly attached, and It would have been obvious to one of ordinary skill in the art at the time of the invention to fixedly

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attach the arm segments of Ueno since it has been held that "the use of a one piece construction...would be merely a matter of obvious engineering choice." (In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965)).

With respect to claims 11 & 12, Ueno in view of Krauth teaches the motor of claim 6, and Ueno teaches that the motor body has, at the outer surface thereof, an embossed (as seen in Fig. 13) or recessed guiding mechanism (as seen in Fig. 14), to which portions of the thrust member are fitted.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 3794869, US 5945756, US 6208046, US 6577035 & US 6698933

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik D. Preston whose telephone number is (571)272-8393. The examiner can normally be reached on Monday through Friday 8-5.

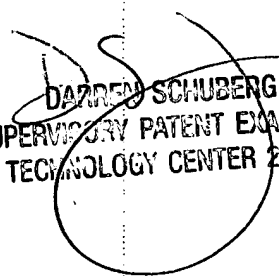
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571)272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



12/06/2005


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
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